

Training and Recognition

The Board provides its services through trained volunteers with the primary objective of resolving disputes in an equitable, speedy, confidential and cost effective manner and in a culturally sensitive environment with due regard to the interests of all parties.

The Board's efforts and processes have been lauded in various contexts. For example, in 2004, Marion Boyd, a former Attorney General in Ontario, Canada, was asked by the government of Ontario to conduct a review of the Arbitration Act of Ontario (1991), particularly the use of arbitration in resolving family and inheritance disputes. In assessing various ADR models, the Boyd report found that "the Ismailis have developed a model of conciliation and arbitration that is the most sophisticated and organized structure in the Muslim community to date." ("Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion," Marion Boyd, December 2004)

The Board's volunteer members undergo extensive initial training, and benefit from continuing education opportunities. The Board's mediation skills training program, which is consistently used across the world for CAB members, has been developed in collaboration with CEDR (Centre for Effective Dispute Resolution), which is based in the United Kingdom and is one of the world's leading organizations in the field of alternative dispute resolution.

"Allah commands you
To render back your Trusts
To those to whom they are due;
And when you judge
Between man and man
Judge with justice.
Verily how excellent
Is the teaching which He gives you!
For Allah hears
And sees all things."

Holy Qur'an (IV: 58)

"No belief is like modesty and
patience. No attainment is like
humility. No honor is like
knowledge. No power is like
forbearance. And no support is
more reliable than consultation."

*Hadith of Hazrat Ali
(peace be upon him)*

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Resolving Disputes Together:
Making a Difference

His Highness Prince Aga Khan
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The Conciliation and Arbitration Board for the United States of America was established by His Highness Prince Karim Aga Khan in 1986. The Shia Ismaili Muslims are a community of ethnically and culturally diverse peoples living in over 25 countries around the world, united in their allegiance to the Aga Khan as the 49th hereditary Imam (spiritual leader), and direct descendant of Prophet Muhammad (peace be upon him and his family).

It has been the tradition of the Ismaili Muslims to resolve disputes amicably through the intervention of elders in the community. Over time, the Imams have established institutions that take on this role. This approach is in keeping with the principles of dispute resolution embodied in Muslim tradition. Drawing on these principles, His Highness the Aga Khan established the National Conciliation and Arbitration Boards worldwide to help the community resolve disputes between parties arising from commercial, business, family matrimonial, and other civil liability matters by way of mediation, conciliation, and arbitration.

Contesting a case in the courts is often a slow, costly, adversarial and public affair. By contrast, dispute resolution through the Board is private, confidential, efficient, and culturally sensitive. The Board's services are provided free of charge to all parties.

Structure and Membership

The National Conciliation and Arbitration Board oversees seven regional Boards throughout the United States. These Boards have members who are appointed to serve a three-year term. Each member undergoes extensive and periodic mediation training in order to serve as case managers for disputes handled by the Board. All Board members are volunteers, and approximately half are women.

The Process and Services

The Board seeks to resolve disputes among parties mostly through the mediation process whereby parties find their own solutions through the facilitative and impartial assistance of the Board's mediators. Participation in the process by the parties is entirely voluntary.

Since the Board's inception in 1986, it has handled several thousand cases. Most relate to either matrimonial issues or commercial disputes involving businesses owned and operated by members of the Ismaili community.

The Board also conducts an evaluation of its services by surveying parties to assess their satisfaction with, and the efficacy of, the Board's process.

Every party also receives a follow-up call after conclusion of its case with the Board to see if further assistance is required.

The Board has developed an internal information management system to anonymously capture and assess the demographic information of parties and the root causes for disputes that are brought to the Board.

On a periodic basis, the Board shares information on trends and root causes with other social governance bodies of the Ismaili Muslim Community to assist these institutions in developing programs that are best suited to meet the needs of beneficiaries and to help prevent future disputes.

The Board also refers parties in cases handled by the Board to other Ismaili institutions for additional support such as counseling services and financial support services.